THE HON'BLE Ms. JUSTICE G. ROHINI

W.P.No.10195 OF 2005

ORDER:

Heard the learned counsel for the petitioner as well as the learned Government appearing for the respondents.

This Writ Petition is filed seeking a Writ of Mandamus declaring the action of the respondents in continuing the Rowdy Sheet against the petitioner on the file of the Station House Officer, Wardhannapet Police Station, as arbitrary and illegal.

The petitioner states that presently he is the Warangal District Secretary of Telangana Rashtra Samithi. He contested for the Member of Legislative Assembly from Wardhannapet Constituency, Warangal District as Bahujan Samj Party candidate and lost the election. Subsequently, he contested as ZPTC member and lost the contest. He was also Upa Sarpanch of Wardhannapet village during the years 1986 and 1992. Further, he was holding the post of Vice Chairman of Primary Agricultural Co-operative Society of Wardhannapet during the years 1994 and 2002. According to him, at no point of time he was involved in any offences and he is actively espousing the grievances of the poor people.

However, in the year 1996 an FIR No.169/1996 of Wardhannapet Police Station was registered against him for the alleged offence under Sections 448 and 506 of the Indian Penal Code. In the said FIR, he figured as Accused No.4. However, ultimately the said matter was compounded. The petitioner claims that, thereafter, no case has been registered against him, and he is not involved in any other offence. However, on the basis of a crime registered against him in FIR 169/1996, a Rowdy Sheet was opened in the year 1996 and the same was closed in the year 2001. According to the petitioner, without there being any justifiable reason, the respondents have again opened a Rowdy Sheet in the year 2005. Aggrieved by the action of the respondents in opening a Rowdy Sheet against the petitioner, this Writ Petition is filed.

The learned Government Pleader, under instructions, states that Rowdy Sheet has

been re-opened against the petitioner, and the same will be continued till 31.12.2005. The learned Government Pleader states further that the case of the petitioner will be reviewed and the 1st respondent will consider whether continuation of Rowdy Sheet against the petitioner for a further period is warranted or not.

In the facts and circumstances of the case, without expressing any opinion on the merits, the Writ Petition is disposed of with a direction to the 1st respondent to review the matter, taking into consideration the plea of the petitioner that except a case in FIR No.169/1996, which was ultimately ended in compromise in S.C.No.257/1997 on the file of the Court of II Additional District & Sessions Judge, Warangal, no further case has been registered against him, and he was not involved in any other offence, and to pass appropriate orders in accordance with the Standing Order No. 742, of the A.P. Police Standing Orders, within a period of six weeks from the date of receipt of this order, and to communicate the orders passed thereof, to the petitioner.

The Writ Petition is accordingly disposed of. No costs.

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5th October, 2005.

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THE HON'BLE Ms. JUSTICE G. ROHINI

W.P.No.10195 OF 2005

05.10.2005

Between:

Gadepalle Rajeshwar Rao. .. Petitioner.

And

The Superintendent of Police,

Warangal, Warangal District. ..Respondents.